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NARRATIVE

OF THE

Surrender of a Command of U. S. Forces,

AT

FORT FILMORE, N. M.

IN JULY, A. D., 1861.

BY

MAJOR JAMES COOPER McKEE,
Surgeon, U. S. Army.

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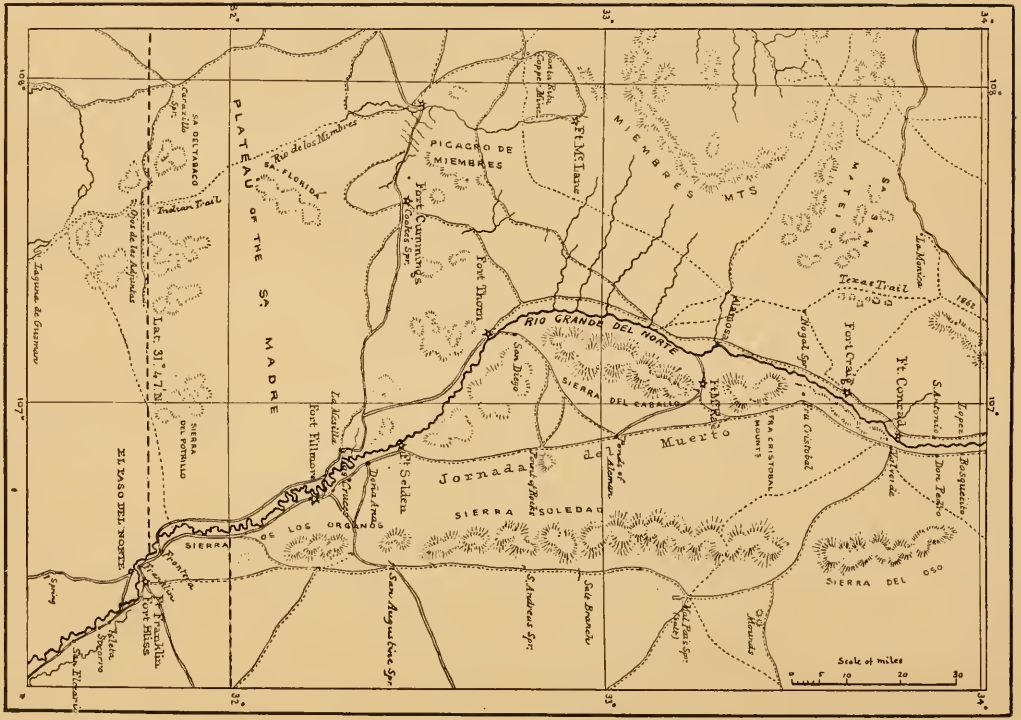

PART OF COUNTRY ALONG RIO GRANDE VALLEY.

INTRODUCTORY

WHILE on duty at Head Quarters, Department of Arizona, Whipple Barracks, Prescott, A. T., in 1878, I wrote the first edition of this Pamphlet from notes and memoranda taken at Fort Filmore, New Mexico, at and before the time of its surrender. This material had been carefully preserved, though carried backwards and forwards on the frontier in New Mexico and Arizona for many years.

The MSS. when finished was shown to, and read by several prominent officers of the army, among whom was Inspector General Edmund Schriver, U. S. A., (now retired), then on a tour of inspection of the department, and they all, with one accord, advised and urged its publication, for they had repeatedly heard this "surrender," discussed and argued from so many different stand-points, as to show an ignorance of the facts as to the circumstances surrounding it.

Accordingly, the first edition was printed and distributed among Army friends only.

It was in demand, showing that it met a want, and this edition was soon exhausted.

A second edition was then published in 1881, in which was added a brief account of the topography of the country. This has likewise become exhausted.

Lately, having many applications from gentlemen, both in civil as well as military life, some of whom are collecting all obtainable materials bearing on the history of the Civil War for Public Libraries and the Libraries of Colleges, I feel compelled to issue this edition, in which I have added a map of the country and a view of old Fort Filmore, N. M., from memory, as it has long since disappeared.

An Index has been made and added for the convenience of readers and annotators.

With thanks for the many encouragements, both written and verbal, received from friends for thus honestly and fearlessly telling the truth about this, the most humiliating and disgraceful event, that has ever blurred the brilliant escutcheon and splendid record of the Regular Army,

I remain,

THE AUTHOR.


Sketch map of
Fort Filmore. N.M.
and vicinity in
July 1861.
J.C McKee U.S.A.
Corral
Q.M.D
Hospital
Post Cemetery
Las Cruces
RIO GRANDE DEL NORTE
Scene of fight
Mesilla
San Tomas

TOPOGRAPHY.

THE Rio Grande del Norte rises in Colorado, and pursues a course, nearly due south, through a valley which is determined by the backbone, so to speak, of the Rocky Mountains. It first assumes some consequence as a stream at Sante Fe, the capitol of New Mexico. It quits the Mountains and the Territory at El Paso, and finds its way to the Gulf of Mexico. Its valley embraces pretty much all the cultivated land and principal towns in the Territory — indeed, all that was worth protecting from Indian incursions in that region. The distance from Sante Fe to El Paso, by the river course or wagon road, is not far from three hundred miles. Twenty-five years ago, the principal towns and posts between these two places, were Albuquerque, Las Lunas, Socorro, Fort Craig, Fort Thorn, Doña Anna, Las Cruces, and Fort Filmore. The last named post was situated on the left bank of the Rio Grande, forty miles above El Paso. In 1861 the post was composed of square adobe houses, with the usual flat dirt roofs, the walls extending up all around, forming a parapet. The officers quarters on one side, and the soldiers barracks on two others, formed a quadrangle, inclosing about three acres of ground. The side next the river was open. The houses were not connected by palisades or earthworks, and were generally twenty or thirty feet apart. The space, about half a mile wide, between the post and the river was partially occupied by a *bosque* or grove of cottonwoods, in the bottom land, near the river. The country on all other sides of the fort was open and rolling, the mountains, fifteen miles to the

eastward, were approached by a gentle slope. The main road, running north and south, passed by or through the fort. Northward it led to the little town of Las Cruces, about seven miles distant, and eight or ten miles further up the river to Doña Anna. Not far above the latter place the road divides, its western branch crossing the river, thence to Fort Thorn, and around a great bend of the Rio Grande to Fort Craig. The eastern branch passes directly across the "*Jornada del Muerto*," or Journey of Death, to the same post. Between Fort Filmore and Las Cruces a road branches off to the eastward through San Augustine Pass to Fort Stanton, N. M., about one hundred miles distant. South of Fort Filmore the road led to El Paso without any branches. The Rio Grande was fordable in the neighborhood of the fort at three places, one a mile below, another a mile and a half above, and the third two miles above this. Opposite the lower ford, on the west bank, was the little town of San Tomas, one and a half or two miles above which was the larger town of Mesilla; to pass from the post to Mesilla the middle ford was generally used, and to go between Mesilla and Las Cruces the upper ford was the most convenient.

NARRATIVE.

THE winter of 1860–1, was passed in a very trying winter campaign of six months duration against the Navajoe Indians, N. M., under command of Major E. R. S. Canby, Tenth U. S. Infantry, (afterwards Brigadier-General, U. S. Army, and murdered by the Modoc Indians of Oregon in 1873).

Peace with the Indians was made in April, 1861, when all the officers and soldiers were ordered to their respective posts.

Mine was Fort Filmore, N. M., within forty miles of El Paso, Texas, and therefore on the border. I took the stage at Albuquerque, N. M., for my post, and reached it in due course of time. On my arrival, and not to my surprise, I found the garrison and people in the neighboring towns of Mesilla, Las Cruces, and Doña Anna, in great excitement and agitation at the near approach of hostilities between the North and South, on account of the election and inauguration of Mr. Lincoln to the Presidency. I was so delighted to get back from my hard winter campaign, that I did not notice at first, in the flush, any change in the manners of my old acquaintances and friends among the citizens; yet after a few days rest and further intercourse, I saw a coolness and distance in their manner.

I had been for six months away in the field, during the fierce excitement which followed the election, and culminated in the civil war, and hence I was ignorant of the fact, that Southern men and Secessionists now looked upon their army friends as their enemies.

Major Isaac Lynde, Seventh U. S. Infantry, a veteran of thirty

four years (having entered the army in 1827) was in command. His hair and beard were gray, giving him a venerable appearance; he was quiet, reticent, and retired, giving the impression of wisdom and a knowledge of his profession. I looked up to him with more than ordinary admiration and confidence, thinking and reasoning with myself that, being old and of long experience, with not many years to live, certainly he did not fear death, and could be depended on to defend the honor of the flag. It took some time for me to doubt his efficiency and bravery as an officer and commander. I sadly saw that no effort was made to put the command in fighting trim, and no measures taken to insure us against surprises.

The command was hampered with the wives and families of five officers, and the wives and families of soldiers, numbering about one hundred souls. Lynde had his family with him, and had been warned repeatedly of this incumbrance, but was too weak to act. No move or effort was made to send them north to Santa Fe, N. M., — a place of security.

Here was marked incompetency to start with, and ought to have caused his removal from command. After our surrender, I thought that I fathomed the reason of their detention. It was, that he might embarrass our movements, and have an additional excuse for the surrender. Being a civilian, I had no very distinct ideas of civil warfare or defensive works, yet from experience in three Indian campaigns I knew the importance and necessity of a system of pickets around the garrison, yet we were in seeming security, while an enemy was advancing on us, over a public highway running through the fort, and not a picket out for our security or to prevent a surprise. Not even an addition made to the ordinary routine sentinels on post duty, viz., one at the guard-house, one at quarter-master's corral, and one over the commissary store-house. Nothing was done, and no measures taken to guard against surprise, either by night or day. Was there ever such another instance in all

history of such imbecility, neglect, or criminal indifference? For my own personal safety, I kept at the head of my bed, and within reach, my trusty double-barreled shot-gun, loaded with buck-shot, my navy revolver, and my watch-dog lay on the mat at my bed-room door.

One day an alarm was given that the Texans were advancing on the fort; the company officers repaired to their company quarters, I hastened to the hospital near my quarters, but some distance outside the fort, the regimental band being in camp alongside. I ordered the front windows to be taken out, and had the hospital steward, attendants, and convalescents armed and drawn up in line. The men of the band of the Seventh Infantry were also formed in line. The question arose as to which ranked, the hospital steward or the sergeant of the band; on inquiring I found that the steward ranked, and therefore I put him in charge of the whole squad. I had my shot-gun in my hand, and told the men I wanted no trifling about the prospective fight, that it must be carried on in earnest, to take good aim, to see that their first fire was effective, and then to retreat into the house and fire from the windows. The alarm was groundless, as no enemy came. The next day 1st Lieut. E. J. Brooks, Seventh Infantry, Post Adjutant, called on me at my quarters, and in the name of the commanding officer, forbade me taking command of the band, or putting my steward in authority over the sergeant.

This man Brooks, born in and appointed from Michigan, was a secessionist and a traitor, and used his position to aid and assist the old imbecile Lynde in carrying out his infamous and cowardly schemes. As adjutant he was the confidential adviser of the commanding officer. No doubt he urged non-resistance and surrender.

In the disgraceful affair of Mesilla he received a scratch from a bullet on the forearm, and had his sword struck by a ball. He rode up to me on the field, pale, greatly excited and alarmed at his narrow escape from the hands of his friends the Texans, made much ado over his scratch, evidently glad to have this favorable accident to

prove his gallantry. I had then, and have now, no doubt that he was the prime mover and adviser in preventing precautions in the way of pickets, in effecting our retreat and subsequent surrender; and, as proof positive, he abandoned the service and disappeared into Texas immediately thereafter.

On or about the 22d of June, 1st Lieutenant W. B. Lane, commanding, 2d Lieutenant C. H. McNally, and 2d Lieutenant Ed. J. Cressy, Regiment of Mounted Riflemen, with about seventy men, were ordered to make a scout down the Rio Grande toward El Paso, a *rumor* having reached the post that the Texans were advancing, and said to be four hundred strong. Lieutenant Lane, a hot-headed Kentuckian, had his own way of being loyal, which did not suit the extremists; but I had confidence in his determined bravery as a soldier, and his integrity as a man. He ordered his officers to examine the cylinders of each man's revolver, to see that they were properly loaded, as he intended to make it a hand-to-hand fight. On hearing this news I went to my hospital and prepared bandages, dressings, etc., and praying, from my very soul, that such might be the case. Unfortunately he did not meet the enemy; otherwise our surrender would not have happened.

I hope I'll be pardoned for relating an incident. On one of those wretched nights I was excited, unable to sleep, and dreading treachery and cowardice from the apathy of the garrison, I went to Lane's quarters about two A. M., wakened him up, and asked him what he would do if the Texans attacked the post? Whether he would fight or surrender? He assured me that he would fight, and not think of surrendering. My anxiety was allayed and my confidence restored. I went home and slept soundly until morning. Lane was shortly after this ordered to Santa Fe, N. M., with his company, and escaped the deep mortification of our surrender. He was a fighting man, and had to be got rid of.

On or about the 20th of June, I took my buggy and horses, and

got Major Lynde to drive over the river with me to the town of Mesilla. I took him around the store-rooms and houses, pointing out such as I thought would do best for troops to occupy in case the necessity arose of occupying the town. On our return home I told him of a point about a mile and half down the river, where there was a good ford; that it could be commanded by throwing a company into the town of San Tomas, on the right bank, which commanded it, and thus prevent the enemy from crossing at the only available ford, except the one used in crossing to the town of Mesilla from the fort. On arriving at the town and showing him its advantages, he appeared to waken up to its importance, and next day sent Captain Joseph H. Potter, 7th Infantry, and next in rank to him, with two companies, to occupy the town and guard the ford. After the surrender, George Frazier, a secessionist, but a great friend of mine (I having attended his family in serious sickness), told me that he, with some others, had gone out on the road near the river, beyond where we turned off to go to San Tomas, for the purpose of taking us prisoners and running us down the right bank of the river into Texas. *Unfortunately* it did not so happen, as the command might have been saved.

I will here give an incident that happened in connection with Captain Potter, a good officer and a brave soldier, having proved it in the Mexican war as well as in the Civil war.

One day, shortly before he was sent to San Tomas, I was sitting in my room, in came Potter smiling, and said, "Doctor, the Major has ordered me to put a field-gun or howitzer on the top of your kitchen roof." My house was the corner one of the row, and commanded all the open space between it and the hospital. The houses had flat earth-roofs, in Mexican style. I asked, in a grim, melancholy way, what was the object of it. He replied, "I suppose to fire on the Texans, if they advance from that quarter on the post." I asked if it would not be better to move my stove and dishes out before the

gun was fired, as it would, undoubtedly, go through the roof into the kitchen. Potter laughed, said that he did not know; all he had to do was to obey orders, and there really *lay* the secret.

The gun was dragged up with ropes and mounted, but never fired.

Such a brilliant method of defence, with no pickets out in front, deserves to be immortalized.

On the night of the 24th of July, when the garrison, men, women and children slept peaceably, with no more than the customary sentinels in time of peace, no pickets out in any direction, no precautions whatever taken to prevent surprise from the approaching enemy Everybody seemed to be inert and paralyzed, yet they were all brave men, and would have done their duty, had they had a competent commander.

The Texans, under command of Lieutenant-Colonel Baylor, C. S. A., to the number of four hundred men, had on the 24th of July advanced from El Paso (distant forty miles) and were quietly encamped within (600) six hundred yards of the fort, intending to surprise us at daylight, on the morning of the 25th, kill or capture the officers in their quarters, and then take the men prisoners in their barracks. A perfectly feasible plan, as the men, without any officers to give orders, would readily have submitted. Luckily for us, one of the Confederate pickets, composed of two old discharged soldiers, deserted from their posts, came in, and alarmed the garrison, otherwise their success would have been complete, as they intended storming the place at the break of day.

Drums beat the long roll, the command turned out, and we were saved for the time. Lynde took no further active steps, not sending out any scout to see where the enemy were. All was left to Providence. The mistake he made here was, in not sending out immediately a flag

of truce, and surrendering us at once. Some lives would have been saved, and much public property saved for the use of the enemy.

My object in getting the town of San Tomas occupied by troops was to guard the ford, and prevent the enemy from gaining the town of Mesilla, where most if not all the Americans were rebel sympathizers. On the evening of the 23d (or 24th) Lynde had heard that the enemy were about to advance on the fort. He ordered Captain Potter to abandon San Tomas, with his two companies, and hasten to the fort. The Mesilla *Times* published a statement shortly afterwards, that clothing, provisions, ammunition, and supplies were left behind in considerable quantities, that eight prisoners were said to have been taken by the Confederates, disarmed, and sworn not to serve against them. How it happened that these eight men were left behind their companies, I never heard explained. I presume that they took advantage of the confusion, chose to remain, and take their chances with the enemy.

The Confederates, meeting with no resistance at the ford, crossed on the morning of the 25th into San Tomas, and then leisurely marched into town of Mesilla, distant some two miles, where they arrived about 10 A. M. and if the Mesilla *Times* is to be credited, they were received with every manifestation of joy. Vivas and hurrahs greeted them at all points. Forage and supplies were freely offered by the overjoyed citizens, who declared they were weary of Yankee tyranny and oppression (?). What was remarkable, these same much abused citizens had been supported by money received from Yankee officers and soldiers.

On the morning of the 25th of July it was *really known* by us that the enemy had occupied Mesilla that morning. Our venerable commander ordered out the command, with the exception of a guard for the post, for the purpose of crossing the river, marching on Mesilla, and, as I supposed, attacking the enemy. The latter part of my suppo-

sition was erroneous, as it afterwards turned out. Our force consisted of infantry, cavalry, and one two-gun battery of field guns, under 2d Lieut. Francis J. Crilly, 7th U. S. Infantry, numbering between four and five hundred men, well disciplined and reliable soldiers. The infantry officers were, as near as I can remember: Isaac Lynde, Major, commanding, Capt. Joseph H. Potter, Capt. Math. R. Stevenson, 1st Lieuts. Augustus H. Plummer, David P. Hancock, Edward J. Brooks, Post Adjutant, 2d Lieuts. George Ryan, Charles B. Stivers and Francis J. Crilly, 7th U. S. Infantry; 2d Lieuts. C. H. McNally and Edward P. Cressy, Regt. of Mounted Riflemen. There were I think others, but their names have escaped my memory.

Charles H. Alden, Asst. Surg. U. S. A., was my junior and assistant. When the command was formed to advance on Mesilla, Dr. Alden asked permission to go with them. I declined, saying that I was his senior, and as such claimed the right to go with the command, as I thought, into action; the doctor was directed to stay and take care of the sick at the post. After quite a delay we moved out of the garrison, about three P. M., toward Mesilla, on the opposite bank of the river. No braver or more determined command ever marched to meet an enemy. It made my despondent heart glad as I rode along and looked at the glittering array of muskets, well-drilled men, and trained horses. Now, I fondly hoped, we would at last certainly redeem ourselves, and make a successful blow for the honor of the old flag, which fluttered in the breeze at the head of the column.

However, before coming to the fort, I ventured to suggest to Major Lynde, might it not be a good precautionary measure and prevent the enemy from outflanking us, if a cavalry company were ordered to go above, and cross the ford near Las Cruces, some two miles above the one we had to use. Acting on that suggestion, Lieut. E. P. Cressy, Reg't of Mounted Riflemen, with his company was ordered on this duty, protecting our right flank from surprise.

This company joined us from the right front as we advanced in line of battle on the town, about four or five o'clock P. M., and took position on the right of the column. Prior to this, however, when some five hundred yards distant from the town, Lieut. Brooks, the adjutant, came riding up with a flag of truce in his hand, and said that the major desired me to accompany him, as I was better acquainted with the people on the other side than any other officer. To hear was to obey. I mounted and rode with the flag toward the enemy's lines. Two mounted men advanced to meet us; both were armed with double-barreled shot-guns carried on the front of their saddles. They had different ideas of the sanctity of a flag of truce than we had, as we were both unarmed. One of these worthies, Hon. P. P. Herbert, Attorney at Law, formerly M. C. from California, had, when M. C., shot and killed an Irish waiter in the dining-room of one of the large hotels in Washington City, D. C., for some imaginary insult. He had been tried for the murder, and, of course, at that time, was acquitted.

Lieut. Brooks, in the name of his commander, demanded, "*An unconditional surrender of the forces and the town.*" The reply was, that "*If he wished the town, to come and take it.*" At this time, thinking, that we would certainly have a fight in which many men would be wounded on both sides, I kindly offered to Herbert, as a matter of humanity, that, in case they had any wounded on their side, I would be happy to render all the assistance in my power. This was abruptly rejected with the remark that they had surgeons of their own. We rode back and delivered the reply, when the order was given to advance to the attack. The line of battle having been formed, the two field-pieces were on the road in the centre of the column, one half of the infantry on the left, and the other on the right. Our left was in a cornfield, with a large acequia (or irrigation canal) on its left, and in their front, some two hundred yards, an adobe house, which proved to be occupied by Texas troops. Here Lynde made

one of the most extraordinary military movements. Instead of throwing out Infantry skirmishers in the cornfield to feel the enemy and protect his column, he ordered Lieut. McNally to deploy his company mounted in *front* of the infantry, with the result of making the mounted men conspicuous targets for the Texans, lying, as they were, concealed in the adobe house, and with the result, that, when fired on, Lieut. McNally was shot through the apex of one of his lungs, four men killed, and several wounded. The company at this surprise retreated behind the infantry. Lieut. Crilly was ordered to fire shells into the town full of women and children; indeed, I heard Lynde order Crilly to fire a shell at a group of women, children, and unarmed men, on one of the sand-hills to our left front; a shell was so fired; luckily it fell short, and no harm was done. The frightened crowd dispersed rapidly. So, without having, in accordance with the humane rule of civilized warfare, given notice to remove the women and children to a place of safety, shells were thrown into different parts of the town, fortunately injuring no one.

I had my ambulance, litters, medicine chest, etc., on the road about fifty yards in rear of the battery. I think one sergeant and one private were killed, and some wounded were the casualties of the battery. The wounded were all being brought to me. Lieut. McNally pluckily rode up on his gray horse, and said that he was shot. I helped him off his horse, when he fainted, and fell on the sand. I opened his coat and shirt, saw the bullet hole, ran my finger into it, detected at once the pulsation of the subclavian artery, and saw that he was safe for the present. At this time Major Lynde and Lieut. Brooks rode up to me from somewhere on our right front, where they had been fired on. Brooks had a slight scratch from a bullet on one of his forearms, and his sword had been struck. They were the worst scared men I ever saw. The gray beard and hair of Lynde were a fitting frame for that pale face and cowardly soul. On riding up he said, "Doctor, get your wounded ready to

retreat." I, thinking that the fight had only commenced, innocently asked, "Where to, sir?" He replied, "To the fort." My soul sank within me and I thought, " Is this to be the disgraceful finale of an attack made by as good and as true a set of soldiers as ever fired a musket?" Had any of the senior officers, present at this time, stepped forward, put Lynde in arrest, and taken the command, his fortune would have been made.

I reluctantly got my dead and wounded into the ambulance, Lieut. McNally on a litter, and started for the river with the column. When the Texans saw us retreat, they cheered heartily and frequently. They were only too glad to have us leave them; fortunately they did not follow us to the river. Had they done so, I verily believe Lynde would have surrendered us at that time. We reached the fort about 10 P. M., and although since then I have passed many a sad, dreary, and gloomy night among dying and wounded men on the battle-field and in hospitals, yet that night left a lasting imprint on my memory. My friend McNally lay in my front room in great pain. The wounded in the hospital had to be attended to. I confess that I shed many bitter tears, cursing my luck that I had been born to the misfortune of being in the command of such an imbecile and coward. Again and now was the hour and the time for some one of the elder line officers to step to the front, and yet save us from an inevitable fate. But all were silent; had any one done so, the whole command would have sustained any kind of determined action.

The morning of the 26th of July came in all its loveliness and freshness. The grand old "Organ Mountains" to the east loomed up in all their magnificent majesty. Their rugged, clear-cut sides stood out in bolder relief than usual, as if in mockery at the pitiable military farce going on at their base.

At about 9 A. M. Lieut. Brooks, Adjutant, came to my house and said that the major ordered me to destroy my hospital property, pre-

paratory to a retreat that night in the direction of Fort Stanton, N. M. I declined to receive any such verbal orders, as I was personally responsible to my department for the valuable property, and would have to make returns showing what disposition I had made of it, to the Surgeon-General, U. S. A.

Without any hesitation, Brooks sat down at my desk and wrote the following order, viz.:

"HEADQUARTERS, FORT FILMORE, N. M.

"July 26, 1861.

"SIR:

"The major commanding, directs that all property pertaining to the Medical Department, that cannot be moved with the transportation furnished you (one wagon), be as far as practicable destroyed.

"I am, sir, very respectfully,

"*To* "Your obedient servant,

"*Assist. Surgeon,* "EDWARD J. BROOKS,

"J. C. MCKEE, U. S. A., *1st Lieut. 7th Infantry,*

"*Fort Filmore, N. M.* "*Adjutant.*

No doubt other officers, as the quartermaster and commissary, received similar instructions. However, the result showed that they failed or were unable to act conscientiously in carrying them out. No sooner did I receive the written order, than I went to my hospital, which had received a large quantity of medicines, liquors, etc., from Fort Buchanan and other abandoned forts in Arizona, and prepared conscientiously to carry out my orders. I ordered my hospital steward, Charles E. Fitzwilliams, U. S. Army, to bring out of the store-room all the medicines, particularly the valuable ones, as quinine, morphine, tinct. of opium, etc., etc., to open all the liquor boxes of brandy, whiskey, and wine, and arrange them in rows around the placita of the hospital. I had well-founded suspicions of the loyalty of this man, and therefore I made him work the harder under

my eye and immediate direction. These suspicions in regard to him were afterward confirmed. After we were taken prisoners, he went over and joined the enemy. Some years after the war closed, I received a paper from the War Department, referred to me for remark. It was a cool, impudent claim for back pay. I had the satisfaction of making a report in his case, which I think settled it, I never heard of it afterwards.

On the rows being ready, I took off my coat, and made him do the same; armed each with a tent pole we went through and through that pile, leaving none unscathed or untouched; I then had all the iron bedsteads brought out and broken with sledge-hammers, then all the mattresses, blankets, sheets, etc., piled upon the debris ready to be fired. I then waited upon the commanding officer, and told him that I was ready to fire my hospital. This was almost too much for him, as he nervously and excitedly said, "By no manner of means, it would not do, as the enemy would take the alarm and know that we were preparing to retreat." Could imbecility have gone further than to imagine that a large command of men, women, and children could retreat over a great plain and not be discovered? The Mesilla *Times* next day reported that the hospital stores, medicines, and furniture were *most completely broken up*. A great deal of valuable commissary stores and other property *were unharmed*, to the amount of several thousand dollars. That the Mexicans, eager as ever for plunder, entered the fort soon after it was evacuated, and commenced a general pillage, carrying off property on their backs, on animals, and by the cart-loads. They must have pillaged property to the amount of several thousand dollars.

THE RETREAT.

ABOUT eleven o'clock, P. M., on the evening of the 26th, I got into my two-horse buggy with my wounded friend, McNally, leaving and abandoning all my books, beds, bedding, carpets, pictures, kitchen utensils, cooking ware, etc., in my home, to the value of several hundred dollars. I was most reluctant to part with my books, most of which were of a scientific character, and had been my inseparable companions during many a lonely day at Fort Massachusetts, Col., Fort Defiance, N. M., in campaigns and on the road, and their loss to me was like a parent parting with his children.

I have been bitterly blamed by many for making such a general destruction of my hospital supplies, medicines, etc., but I did it in the conscientious execution of my duty and of orders, under a severe and most trying aggravation of repeated and continuous evidence of cowardice and imbecility of those I was sworn to obey. I would repeat the same under like circumstances, in presence of any enemy. If any additional excuse was needed, in addition to a soldier's duty, I give the acute mental agony and mortification, arising from the fact that our commanding officer was an imbecile if not a traitor. Mental incompetency and obliquity of moral vision, may relieve him from the last charge. Charity may be so extended as to allow that he had not brains enough to be a traitor. Lapse of time has not diminished the deep mortification of that retreat and that day, and now, after many years have rolled by, I get so excited and even tremulous with indignation, that I can scarcely command my pen to make this record.

At daylight on the morning of the 27th of July, we were some eight or ten miles east of Las Cruces; the road lay over the table lands and foot hills to a pass though the Organ Mountains to San Augustine Springs. The day was excessively warm, and there being no water, many men dropped out of the ranks almost dead from

fatigue and thirst. Both sides suffered alike. The Texans, as they advanced on us, had no trouble in taking prisoners and disarming them by the squad. One brave private, crazy from thirst, fatigue, and undoubtedly despair, fired his musket at Colonel Baylor, C. S. A., and was immediately shot down by him.

This was the only life lost. Our two pieces of artillery were captured. Captain Alfred Gibbs, with his company of Regt. Mounted Riflemen, on his way down to Filmore from Fort Craig with beef cattle, seeing our dust off toward the mountains, unfortunately joined us at this time, fell into the trap, and was compelled to accept of our fate. Everything was in unutterable and indescribable confusion. Ruin was on every side of us. The enemy were steadily advancing.

The only temporary security and intervening guard was, that Captain Gibbs kept his company deployed every now and then in line of skirmishers, as he covered our retreat, retarding the advance of the enemy. Not a shot was fired, and I understood aftewards that this was Major Lynde's positive order. On or about noon I drove into camp at San Augustine Springs, found the companies in camp, and Lynde enjoying a comfortable *lunch*, as if nothing were going on, his command safe, instead of being a wreck and scattered along the road for miles. It was the sublimity of majestic indifference. In a short time the Confederates or Texans were seen advancing in line of battle to the number of some three hundred. Our men, numbering at least five hundred infantry and cavalry, trained, disciplined, and well-drilled soldiers, were drawn up in an opposite line, forming a striking contrast to the badly-armed and irregular command of Texans. The enemy advanced to within three hundred yards of us, when Lynde raised and sent out a flag of truce, which was met and negotiations commenced with a view to surrender. They demanded an unconditional surrender, the same that Lynde had demanded of them at Mesilla.

Lynde sought to modify this, but his request was refused, and to

do the Texans full credit for humane conduct, they stated that two hours would be granted to remove the women and children to a place of safety; a most marked contrast to the cowardly conduct of Lynde at Mesilla, when he ordered the artillery to open fire on the town full of them.

At this time all the officers assembled, and proposed waiting on Lynde and protesting against the surrender on any terms. This final effort was so hopeless and feeble that I at first declined, but at last yielded to the persuasions of my wounded friend McNally, who walked feebly along on my arm. We found Lynde in front of his line. One by one, from the senior down to the junior, we gave in our protest. It was farcical and ludicrous in the extreme, and must have so impressed others besides me. It was too late, even had any one of the senior line officers been bold and determined enough to seize the command by displacing Lynde, and putting him in arrest, a thing which ought to have been done before, particularly at the action of Mesilla, when he showed such marked incompetency and cowardice, and even prior to that, in not taking some decided measures to defend and protect the fort. Such action at that time, in 1861, would have advanced an officer to the rank of a brigadier general. Blind, unreasonable obedience to orders (creditable always in a well-disciplined force) was the ruin of our command. Many of these officers afterwards rendered distinguished services during the war.

An unconditional surrender was at last agreed upon. Eleven (11) companies, if I remember right, of infantry and cavalry, between five and six hundred veterans, well disciplined and drilled troops, with two pieces of artillery (abandoned on the road), arms, and equipments, some two hundred cavalry horses, with mules and wagons and two or three hundred head of beef cattle, were unconditionally surrendered.

All safety and security for life left to the mercy of the enemy.

Any one of the command could have been selected out for vengeance, either public or private.

Was there ever such a suicidal, cowardly, pusillanimous surrender as that in all history? Of these eleven companies, three were of the Regiment of Mounted Riflemen, of the Infantry Companies, two were of the Fifth, and the remainder of the Seventh U. S. Infantry. All surrendered to some three hundred Texas militia, without firing a shot, or losing a single man. On July 28th we were all marched back to Las Cruces, and encamped. The arms of the men were delivered up, the men paroled by their officers, and these gave their own parole on the following printed form, viz.:

LAS CRUCES,
TERRITORY OF NEW MEXICO.

I, J. COOPER MCKEE, Assistant Surgeon Medical Department, of the Army of the United States, do hereby pledge my word of honor, as an officer and a gentleman, that I will not bear arms or act under my commission as an officer against the Confederate States of America, or in any manner directly or indirectly against the said Confederate States in a belligerent capacity, until the present war ceases and peace is concluded between the Confederate States and the Federal Government, or until I am released by the Secretary of War of the Confederate States, or exchanged by said Government of the Confederate States for prisoners of rank held by the Federal Government, that may be agreed upon between the Secretary of War of the Confederate States and of the Federal Government.

Given under my hand as an officer of the Federal Government at Las Cruces, this 31st day of July, A. D., 1861.

[*Signed*] J. COOPER MCKEE,

Assist. Surg. Med. Dept.

U. S. A.

I took a receipt for my surgical instruments, of which the following is a copy, *viz.:*

Receipt of Surgical Instruments, to J. Cooper McKee, Asst. Surgeon U. S. A., from Major Edwin Waller, C. S. A.

3 Dissecting Cases, complete.	1 Catheter Case, complete.
1 General Operating Case, "	3 Pocket Cases,
3 Amputating Cases, "	1 Pocket Case, complete.
1 Trephining Case, "	

[*Signed*] E. WALLER,

Major 2d Regt. Mtd. Rifles,

Las Cruces, N. M., C. S. A.

July 28th, 1861.

Some fifty carbines (old pattern) and ammunition were given us to protect ourselves against the Indians in marching across the "Jornado del Muerto," (journey of Death) up the Rio Grande to Santa Fe, N. M.

In justice to Major Edwin Waller, C. S. A., the officers and men under him, I will say that they were considerate and kind to all, and behaved like soldiers in all respects.

On my arrival at Albuquerque, N. M., I inclosed a copy of my parole of honor in the following letter to the Hon. the Secretary of War, through the Surgeon General, U. S. A.:

Albuquerque, N. M., *August* 16, 1861.

To the

Surgeon General U. S. Army,

Washington, D. C.

Sir:

I hereby inclose through you to the Hon. Secretary of War, my parole of honor, given at Las Cruces, N. M., to the commanding officer of the Texas Troops, after the base surrender of our forces by Major Lynde of the 7th U. S. Infantry, on the 26th July, 1861.

I also inclose a copy of an order to destroy my property. I made the destruction as complete as possible without the aid of fire. This I was forbidden to use. I am unable to make out any return of my property, as in the confusion my retained copy of last year's return was lost. I will be under the necessity of waiting until my arrival in Washington. I also report, that my hospital steward, Charles E. Fitzwilliams, chose to remain with the Texans as a prisoner of war. All paroled troops, officers, and men are ordered to Fort Union, N. M., preparatory to leaving for Fort Leavenworth, Kansas. I would be under deep obligations to the Surgeon General if he would have me exchanged immediately, as I am anxious to be again in active service.

I am unable to express to you the deep grief, mortification, and pain, I, with all the other officers, have endured from this cowardly surrender of a brave and true command to an inferior force of the enemy, without having one word to say, or firing a single shot. I among other officers entered my solemn protest against the surrender. But we were peremptorily told by Major Lynde that he was the commanding officer.

To see old soldiers and strong men weep like children — men who had faced the battles' storm in the Mexican War — is a sight that I hope I may never again be present at. A braver, a truer command could not be found than that which has in this case been made the victims of cowardice and imbecility.

The number of women in this command should receive the rigid scrutiny of the War Department, as five officers had their wives and children at this post (Fort Filmore). The camp women and children I will not pretend to enumerate. Yet all these were kept in the garrison to paralyze us when in presence of the enemy, seemingly preparing for the result, a surrender. Major Lynde was warned of this repeatedly, but was too weak to act.

This has been one of the causes why I and others are now prisoners of war.

[*Signed*] J. COOPER McKEE,
Asst. Surgeon, U. S. Army.

This disastrous affair occurred July 28th, 1861, and after due consideration Major Lynde was summarily dismissed the service by order of President Lincoln, and he ceased to be an officer of the Army, November 25th, 1861, four months after he had brought this disgrace upon the Army and the Country.

On the 27th of November, 1866, President Johnson revoked the order of President Lincoln and thus restored Major Lynde to duty to date from July 28th, 1866, and on the same date placed him on the "Retired List" of the Army.

I am now growing gray in the service, and hope all animosity that may have been engendered at that unfortunate time has been softened and mellowed by time.

I have endeavored to write nothing but facts from memoranda, compelling me to speak quite frequently of my individual actions from no desire of self-praise or interest to the injury of any one living or dead, but that I feel compelled to tell the truth irrespective of friend or foe.

APPENDIX.

THE following copies are pertinent to this narrative:

[COPY.]

WASHINGTON, D. C., May 18th, 1882.

TO THE ADJUTANT GENERAL, U. S. A.

WASHINGTON, D. C.

SIR: I would respectfully call your attention and request a decision in the case of Isaac Lynde, Major U. S. Army, retired, who was pre-emptorily dismissed the service by President Abram Lincoln, on Nov. 25th, 1861, for the cowardly surrender of a command of U. S. Troops, to an inferior body of the enemy, at or near Fort Filmore, new Mexico, on July 27, 1861.

Major Lynde was afterwards restored by President Andrew Johnson, simply revoking the order of dismissal, as Major of the 18th U. S. Infantry, Nov. 27th, 1866.

Under recent decisions in the cases of Fitz John Porter and Chaplain Charles A. M. Blake, U. S. A., I claim that President Johnson could not legally reinstate this officer by revoking the order of a former President, and that the only legal way was to have renominated him, have him confirmed by the United States Senate, and that he is not an officer of the U. S. Army. For these reasons I respectfully request that his name be struck from the Army Register.

For the history of this case and the reasons for his pre-emptory dismissal by the President, I would refer you to the War of the Rebellion, Official Records of the Union and Confederate Armies, "Vol. IV., Series I., Pages 11, 37, 44, 45, 50, 56, 58, and 60," also to the enclosed "Narrative of the Surrender of a Command of U. S. Forces at Fort Filmore, N. M., in July 1861."

I have the honor to remain,

Very respectfully, your obedient servant,

J. C. McKEE,

Major and Surgeon, U. S. A.

[COPY.]

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,

WASHINGTON, June 8, 1882.

MAJOR J. C. MCKEE,

Surgeon U. S. Army, Washington, D. C.

SIR: I have the honor to acknowledge receipt of your letter of the 18th ultimo, requesting that the name of Major Isaac Lynde, U. S. Army, retired, be omitted from the Army Register, on the ground that his restoration to the service in 1866 was illegal, and to inform you by direction of the Secretary of War, that the *President is not disposed, at this late date, to make any change* in the status of Major Lynde, as established in 1866.

Very respectfully, your obedient servant,

R. C. DRUM,
Adjutant General.

[COPY.]

MEDICAL DIRECTOR'S OFFICE, DEPT. OF THE COLUMBIA.

VANCOUVER BARRACKS, W. T., Nov. 24th, 1885.

TO GENL. R. C. DRUM,

Adjutant Gen'l U. S. A.

WASHINGTON, D. C.

(*Through regular Military Channels.*)

SIR: I would respectfully call your attention to the fact that in the *Records of the Rebellion*, Series I, Vol. IV, there is published only some few letters and reports in regard to the surrender of a command of U. S. forces at Fort Filmore, New Mexico, in July, A. D. 1861, under the command of Major Isaac Lynde, 7th U. S. Infantry, at the breaking out of the Civil War between the North and the South, to the Confederate forces under Major E. Waller, C. S. A.

At that time I occupied the position in Major Lynde's Command of Senior Assistant Surgeon and kept notes and memoranda of the affair which were carried and preserved by me for many years, and from which was compiled this complete narrative of the surrender.

As it has been published to the Army and to the public since 1878, a





period of seven or eight years, and has not been denied or disputed by Major Lynde (still living) * or any of the other still living actors, either in or out of the army, it is only fair to claim that it is a truthful report and statement of that unfortunate affair.

Considering then that no full report has ever appeared or been published in the "Records of the Rebellion" relating to military operations of that period. I respectfully request that the enclosed copies may be brought to the attention of the Secretary of War, and placed among the official files of the Adjutant General's Office.

(Four printed copies enclosed with map in each.)

Very respectfully,

Your obedient servant,

J. C. McKEE.
U. S. A.

[COPY.]

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE.

WASHINGTON, December 18th, 1885.

SURGEON J. C. MCKEE, U. S. ARMY.

Thro' Headq'rs, Division of the Pacific

Presidio, San Francisco, California.

SIR: Referring to your letter dated November — 1885, forwarding to this office, pamphlets containing a narrative of the surrender of U. S. forces at Fort Filmore, N. M., in July 1861, with a view to its publication in the "Records of the Rebellion;" I have the honor to inform you that, under the uniform rulings of the Secretary of War, this pamphlet has no place in the official records of the War of the Rebellion. The official report of the events in question has been published in Vol. IV, series I, of those records.

I am, Sir,

Very respectfully

Your obedient servant,

J. C. KELTON,
Asst. Adjutant General.

* Major Lynde died April, 1886, since this was put in type.

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